

# Berks County Cooperative Purchasing Council

## Statement of Operating Procedures

(Revised April, 2010)

- (1.) **Purchasing**  
Any two or more governmental entities may decide to cooperate in purchasing a given commodity of goods, supplies, and/or services. This decision must be conveyed to the President and the total Council membership before specifications are prepared. The President shall recognize one representative to serve as the lead agency.

All plans and specifications prepared for joint purchase shall be in accordance with the following process.

(2.) **Decision Making Process for Joint Purchasing**

Step 1: **Identify Interest:** The Council as a body, or two or more municipalities identify an interest in jointly purchasing a specific commodity(ies) and notify the Council President

Step 2: **Authorize Bid and Designate Lead Agency:** The Council or Executive Committee authorizes a request for bids and the Council President or Presiding Officers designates a lead agency for the commodity.

Step 3: **Determine Interest and Prepare Specifications:** All Council members are informed of the interest in the specific commodity and requested to inform the lead agency if they would like to be part of the initial discussions. The lead agency will be responsible for preparing the bid specifications. All bid specifications must include the quantity disclaimer that requested quantities may be increased, decreased, or eliminated from quantities identified in the specifications (a copy of the final specifications will be provided to participating members, if desired).

Step 4: **Intent to Pursue Joint Purchase:** Council members will be notified of the timetable for submitting their required information. If a member fails to provide the information by the stated deadline date, it will be interpreted that the member is not interested.

Step 5: **Request for Bids or Price Quotations:** the lead agency will request bids or price quotations on behalf of the Council in accordance with Council operating procedures and state law. Bidders will be asked whether Council members not participating in the bid will be able to piggyback on the contract and purchase the commodity at the bid price. Piggybacking, where permitted, is a benefit to Council members but members piggybacking on a contract are not covered by the bond submitted by the vendor.

Bid specifications should include a statement that members located outside Berks County may incur an additional shipping/transportation surcharge.

Step 6: **Review and Acceptance of Bids or Price Quotes:** bids and quotes will be received and opened by the lead agency in accordance with state law. A tabulation of bids will be prepared by the lead agency for review by all participating entities. The participating entities will review the bid or quote tabulation, decide whether to recommend the award of the contract to the lowest responsible bidder meeting specifications, and notify the lead agency of their acceptance or rejection of the bid.

To expedite the process, Council representatives may request pre-authorization by his/her governing body to participate in the bid, to approve the specifications, and to award the bid within the budget allocated for the commodity.

All requests for bids will include a statement that the decision on the award will be made within 45 days following the bid due date in order to allow for governing body approval if pre-authorization is not obtained.

The lead agency will verify to and get approval from the Council or Executive Committee that the operating procedures have been fulfilled prior to accepting the bid.

The lead agency will notify the selected vendor of all entities accepting the bid.

Step 7: Award the Contract: the contract will be awarded by the lead agency in accordance with the Council's operating procedures and state law.

Step 8: Delivery of Product and Invoicing: the product will be delivered directly to the participating members in accordance with the specifications and invoices will be sent by the vendor to the individual participating members for payment.

(3.) Rejection of Bids

Any participating entity that rejects the lowest responsible bidder(s) must show just cause for so doing. If any entity rejects the lowest responsible bidder(s) without just cause in the opinion of the lead agency, the Executive Committee of the Council shall review the situation and submit a recommendation to the Council for their action.

(4.) Expenses

It is agreed that bid expenses shall be absorbed by the lead agency. Other operating expenses shall be covered in a manner approved by the Council.

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Date

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Secretary